

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED
08/07/2022 3:27 p.m.
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:)
)
GEORGE SNYDER,) Case 21-22419-CMB
)
Debtor.)
_____)

MOTION TO CONTINUE AUTOMATIC STAY PENDING APPEAL

Debtor George Snyder file this, his Motion to Continue Automatic Stay

Pending Appeal:

1. Creditor seeks to gain an unfair advantage by taking advantage of what is most likely an erroneous dismissal of this case. The dismissal was error under Third Circuit precedent requiring contumacious conduct and notice before dismissal. In this case, the Clerk identified deficiencies on December 8, 2021. See Entry 27. Notice was not mailed until December 10, 2021. See Entry 28. The Court dismissed the bankruptcy without hearing or opportunity to respond on December 14, 2021, BEFORE DEBTOR EVEN RECEIVED THE NOTICE.
2. The appeal is fully briefed and is awaiting a decision. The Chapter 13 trustee admitted no contumacious conduct occurred, but is arguing against the reinstatement. The creditor did not file any brief.
3. An adversary proceeding is pending under this bankruptcy.
4. Debtor will be required to file a second bankruptcy wasting resources if the Creditor's motion is granted, then will incorrectly claim that Debtor is being litigious when it is Creditor that is causing multiple litigations (this is the third motion filed by Creditor).

5. This Court should continue the automatic stay pending the appellate process so that there are not inconsistent results, multiple litigations, and multiple bankruptcies.

WHEREFORE, Debtor respectfully requests that this Court continue the automatic stay during the appellate process.

Respectfully submitted,

/s/ George Snyder

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